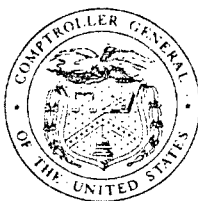


DECISION



17576
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-202435

DATE: March 31, 1981

MATTER OF: JAN Devices, Inc. *06405*

DIGEST:

Awardee's
[Protest concerning a small business size status of awardee will not be considered by GAO since authority to conclusively determine size status is vested in Small Business Administration.]

JAN Devices, Inc., protests the award of a contract by the Department of the Army to Hall-Mark Electronics Corporation under solicitation No. QW62DDN1042-0422, a small business set-aside. JAN contends that Hall-Mark is not a small business and therefore is ineligible for award. *406*

We will not consider the protest. Under 15 U.S.C. § 637(b) (Supp. III 1979), the Small Business Administration is empowered to conclusively determine matters of small business size status for Federal procurement and sales purposes. Gateway Van & Storage Company, B-198900, July 1, 1980, 80-2 CPD 4; International Computer Software, Inc., B-198646, June 3, 1980, 80-1 CPD 380.

The protest is dismissed.

Harry R. Van Cleve
Harry R. Van Cleve
Acting General Counsel

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